

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA**

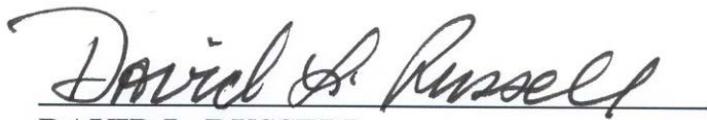
DERRICK WILLIAMS, )  
                        )  
Plaintiff,           )  
                        )  
v.                     )       Case No. CIV-23-1016-R  
                        )  
JAVIER MARTINEZ,   )  
                        )  
Defendant.           )

**ORDER**

Upon review of the file and noting no timely objection to the findings and recommendations of United States Magistrate Judge Suzanne Mitchell pursuant to 28 U.S.C. § 636(b)(1), the Court adopts the Report and Recommendation [Doc. No. 9], in its entirety.

For the reasons stated therein, this action is DISMISSED WITHOUT PREJUDICE to refiling.

IT IS SO ORDERED this 15<sup>th</sup> day of February, 2024.

  
DAVID L. RUSSELL  
UNITED STATES DISTRICT JUDGE